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March 12, 2021

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : North Allston Storm Drain Extension Project  
PROJECT MUNICIPALITY : Boston  
PROJECT WATERSHED : Charles River  
EEA NUMBER : 16319  
PROJECT PROPONENT : Boston Water and Sewer Commission  
DATE NOTICED IN MONITOR : February 10, 2021

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** an Environmental Impact Report (EIR).

While this project may now proceed to permitting, I acknowledge the concerns expressed by Senator Sal DiDomenico, Representative Mike Moran, residents, and community and environmental groups, including groups representing rowers and boaters on the Charles River, about the potential impacts of this project and the lack of outreach to affected residents and other parties and their elected representatives. Commenters raised concerns about impacts to river navigation, water quality and wetlands impacts, and questioned whether the project is an appropriate use of parkland subject to protection under Article 97 of the Amendments to the Constitution of the Commonwealth (Article 97). Based on a review of the Environmental Notification Form (ENF), consultation with State Agencies, and review of comment letters, I do not find that a discretionary EIR is warranted. While environmental impacts, such as the water quality and navigation issues discussed below, should continue to be considered in future approvals and permitting, including through the Department of Environmental Protection (MassDEP) and Department of Conservation and Recreation (DCR), none of these impacts exceed mandatory EIR thresholds and these permitting agencies have sufficient authority to resolve outstanding issues through their respective processes. Independent of State Agency permitting, the project requires an easement on parkland that will be subject to a two-thirds vote of the Legislature, which may consider the extent to which the project serves a public purpose.

MEPA review is not a permitting process, nor does it serve as an appeal for local decisions. It does not pass judgment on whether a project is or is not beneficial, or whether a project can or should receive a particular permit. Rather, the MEPA process requires public disclosure of a project's environmental impacts as well as the measures that the proponent will undertake to avoid, minimize and mitigate these impacts. MEPA review occurs before public agencies act to issue permits and approvals for a proposed project to ensure that those agencies are fully cognizant of the environmental consequences of their actions.

### Project Description

As described in the ENF and supplemental information received during the comment period<sup>1</sup>, the project includes the construction of a 2,651-foot (ft) long 10-ft by 8-ft box culvert storm drain and a new 14.5-ft by 6.7-ft dual chamber outfall discharging to the Charles River. The storm drain will connect to the existing North Allston drainage system operated by the Boston Water and Sewer Commission (BWSC) west of the site near Rena Park. A hydrodynamic separator unit (HDS) will be installed at the western end of the project to remove Total Suspended Solids (TSS) from stormwater. The purpose of the project is to increase the capacity of the drainage system to address surface ponding and flooding in the approximately 172-acre upstream catchment area and to remove pollutants from runoff prior to discharge into the Charles River. According to the ENF, the project will be constructed over a 24-month period, including 13 months of in-water activities.

The approximately 180-ft long eastern end of the project will be located within the Department of Conservation and Recreation's (DCR) Charles River Reservation, including a 30-ft long section in the Charles River. Landward of the bank of the river, the storm drain will pass under the four-lane Soldiers Field Road (SFR), two SFR frontage roads and the Paul Dudley White (PDW) Bike Path. The section of the storm drain below SFR will be installed by excavating soil under temporary roadway decking supported by steel sheet piles and bracing, placing a structural support slab on the bottom of the trench and constructing the storm drain on the structural slab. A 40-ft by 40-ft pile supported crane platform will be constructed north of the proposed outfall location; the platform will be located primarily on land but a portion will extend over the bank and into the river. Construction of the outfall will take place in dry conditions within a dewatered sheet pile cofferdam. A mat consisting of interlocked concrete blocks will be installed at the end of the outfall and along the bank adjacent to the outfall to provide permanent scour protection. The concrete mat will cover a 14.5-ft by 24.5-ft area of the river bottom at the end of the outfall and along the riverbank for a distance of 25 ft on each side of the culvert. According to the ENF, the concrete mat is designed with spaces that will allow for natural vegetative growth. The Proponent will seek an easement over 0.19 acres of DCR land for construction and maintenance of the storm drain; as addressed in more detail below, the easement requires legislative approval pursuant to Article 97.

West of SFR, the storm drain will be constructed within a 16-ft wide, 12- to 25-ft deep excavated trench. In some locations, steel sheeting will be installed along one or both side of the area to be excavated to minimize potential impacts to nearby structures. A total of eight lateral connections and 15 drain manholes will be installed along the extent of the storm drain.

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<sup>1</sup> Email dated March 10, 2021 from Alyssa Jacobs, Epsilon Associates, to Alex Strysky, MEPA Office.

### Project Site

The route of the proposed storm drain generally extends from Rena Park to the west, through land owned by Harvard University, across a section of MassDOT ROW associated with the highway ramps connecting SFR and Cambridge Street to Interstate-90 (I-90) and onto DCR's Charles River Reservation. Harvard University owns most of the area south of Western Avenue, east of the Lower Allston residential neighborhood, north of Cambridge Street and the MassDOT ramps and west of SFR and the Sanofi-Genzyme facility. Harvard's land in this area was formerly used as a railyard and commercial uses; currently it includes Harvard's District Energy Facility and the John A. Paulson School of Engineering and Applied Sciences (under construction) but is largely undeveloped and in use as a construction laydown area for Harvard-related construction projects in the area. As noted below, the area is planned to be redeveloped as part of Harvard's Enterprise Research Campus (ERC), which is currently under MEPA review (EEA# 16320).

According to the Massachusetts Department of Environmental Protection's (MassDEP) *Year 2016 List of Integrated Waters*, impairments affecting the use of the segment of the Charles River near the site include the presence of non-native aquatic plants, algal blooms, fish bioassessments, DDT in fish tissue, PCB in fish tissue, oil and grease, dissolved oxygen, pathogens, nutrients and phosphorous. The U.S. Environmental Protection Agency (EPA) and MassDEP have established Total Maximum Daily Loads (TMDL) for nutrients and pathogens in the Charles River. As shown on the Federal Emergency Management Agency's (FEMA) National Flood Insurance Rate Map (FIRM) number 25025C0076G (effective September 25, 2009) the bank of the river is located in the 100-year floodplain (Zone AE) with a base flood elevation (BFE) of 4 ft NAVD 88. As noted in the ENF, the elevation of the Charles River is maintained by the Charles River Dam and managed to control flooding.

### Environmental Impacts and Mitigation

Potential environmental impacts of the project include temporary impacts to 77 linear feet (lf) of Bank and 26,536 sf (0.61 acres) of Riverfront Area and permanent alteration of 1,934 sf of Land Under Water (LUW). The project will include dredging of approximately 228 cubic yards (cy) of sediment from an area of 1,032 sf. The project requires a permanent easement over 0.19 acres (approximately 8,300 sf) of parkland subject to Article 97 and will impact an additional area of 0.63 acres (27,500 sf) of DCR land during the construction period. Construction activities will temporarily disturb a total of approximately 5.6 acres of land.

The project is intended to address flooding in upstream residential areas, increase the capacity of the drainage system to accommodate peak flows, and improve water quality. Measures to avoid, minimize, and mitigate environmental impacts include the use of an HDS to remove TSS from stormwater; installation of scour protection mats around the outfall; the use of a cofferdam and silt curtain to minimize turbidity during construction; installation of an HDS on a segment of DCR's drainage system to reduce pollutants entering the Charles River; and restoration of disturbed areas upon completion of construction.

### Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(1)(b)(3) because it requires State Agency Actions and involves the conversion of land held for natural resource purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97. The project requires a Chapter 91 (c. 91) License and a 401 Water Quality Certificate (WQC) from the Massachusetts Department of Environmental Protection (MassDEP), a Construction Access Permit (CAP) from DCR; a Non-Vehicular Access Permit from the Massachusetts Department of Transportation (MassDOT); and a Section 8(M) Permit from the Massachusetts Water Resources Authority (MWRA).

The project requires an Order of Conditions from the Boston Conservation Commissions (or a Superseding Order of Conditions from MassDEP in the event the Order is appealed). It requires a National Pollutant Discharge Elimination System Construction General Permit (NPDES CGP) from the Environmental Protection Agency (EPA) and the filing of a Pre-Construction Notification (PCN) to the Army Corps of Engineers (ACOE) in accordance with the General Permits for Massachusetts.

Because the project requires a Land Transfer from DCR, MEPA jurisdiction is broad and extends to all aspects of the conveyance within the area subject to the Land Transfer that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

### Review of the ENF

The ENF provided a description of existing and proposed conditions, preliminary project plans, and identified measures to avoid, minimize and mitigate project impacts. The ENF included detailed information and plans with respect to proposed structures and construction activities on DCR-owned land and in the river, including sediment quality data and limited information about the project outside of this area. During the review period, the Proponent provided supplemental information that described project components west of the DCR property.

### *Segmentation*

The MEPA regulations include anti-segmentation provisions to ensure that project Proponents do not evade, defer or curtail MEPA review by segmenting one project into smaller ones that, individually, do not meet or exceed MEPA thresholds. The MEPA regulations at 301 CMR 11.01(2)(c) note that the determination as to whether various activities constitute one project should consider "whether the work or activities, taken together, comprise a common plan or independent undertakings, regardless of whether there is more than one Proponent; any time interval between the work or activities; and whether the environmental impacts caused by the work or activities are separable or cumulative."

The project will convey stormwater from Harvard-owned property that is planned for future development, including the ERC. To address segmentation of the buildout of this area, the MEPA Office has coordinated the filings of the ENFs for this project and the ERC to ensure that public disclosure of the direct and indirect impacts of the two projects occur simultaneously. As

detailed in the ENF Certificate issued today on the ERC (EEA# 16320), Harvard has also committed to MEPA review of future development of its properties that will be served by the storm drain described in this ENF.

### *Alternatives Analysis*

The ENF included an analysis of alternative project designs and construction methods. The No Build Alternative would not result in catchment area-wide improvements to the North Allston drainage system, but would address localized flooding and sedimentation on a more site-specific level. According to the ENF, the No Build Alternative does not meet the project goals because it does not increase the capacity of the storm drain system. The Expansion of Existing SDO-01 Outfall Alternative would augment the capacity of the existing drainage system, which consists of a 36- to 40-inch trunk drain and two 30-inch drains under SFR discharging to the Charles River north of the Western Avenue Bridge. According to the ENF, this alternative would impact DCR parkland due to removal of the existing outfall and construction of a new one. Construction of a larger truck drain would also impact the Harvard Business School campus and require a crossing of an existing 54-inch MWRA water transmission main that would necessitate installation of the storm drain above the existing ground surface.

The Independent Augmentation of BWSC Storm Drain System (“Independent Augmentation”) Alternative would convey runoff from the same catchment area served by the existing system by extending the existing BWSC storm drain in Western Avenue to a new outfall in the Charles River. Because this alternative does not add capacity to the system, a new drainage system with a separate outfall would have to be constructed in the future to accommodate future development in the area. According to the ENF, the Independent Augmentation Alternative would have greater impacts to parkland because it would require construction of a syphon near the SFR underpass to cross the MWRA’s 54-inch water main and would result in two new outfalls to the river. The Open Channel Alternative would daylight the existing storm drain east of Rena Park, creating an open channel across Harvard property that would convey stormwater runoff to a new box culvert under SFR and a new outfall in the Charles River. The channel would have to be large enough to convey storm flows and deep enough to accept gravity connections from future development parcels, and the bottom lined with concrete to minimize groundwater flow into the channel. This alternative would require construction of a larger culvert under SFR than that proposed in the Preferred Alternative because the open channel would not generate enough head to reach the river.

The Preferred Alternative (described herein) will convey runoff from most of the catchment area served by the existing system, except for that portion north of the catchment area north of Western Avenue, and additional land between Western Avenue and Cambridge Street that currently drains to the river through other systems, including land owned by Harvard that is intended to be developed in the future. The project will increase the discharge capacity of the drainage system by more than 53 percent to reduce upstream flooding; however, because it will only drain areas that already drain to the Charles River, the total volume of runoff directed to the river will not change. The proposed storm drain also includes an HDS to minimize TSS and pollutants in stormwater prior to discharge into the Charles River.

The ENF reviewed alternative construction methods for the installation of the proposed culvert under SFR. The Top Down Excavation Alternative would require closure of SFR to

traffic and construction would therefore be limited to nighttime hours. According to the ENF, this construction method would require the longest construction period and has the greatest potential to cause traffic disruptions if unforeseen conditions are encountered during excavation. The Pipe Jacking or Tunnel Boring Alternative would install the culvert under SFR using a trenchless technology that would not disturb the roadway surface. This method would require a jacking pit on the west side of SFR and a receiving pit within the cofferdam at the outfall. According to the ENF, this method was not selected because of subsurface conditions, including high groundwater, silty soil and potential obstructions. In addition, the culvert would not be supported by a slab and would be prone to settling. As described in the ENF, the Preferred Alternative will minimize traffic disruptions by installing roadway decking and excavating the soil below the deck. A slab will be installed on the bottom of the excavation to support the culvert and minimize settlement.

### *Article 97*

The project is subject to the EEA Article 97 Policy and must obtain Article 97 legislation for the proposed easement for the culvert and outfall in the Charles River Reservation. The ENF included an Article 97 analysis related to the need for an easement associated with construction of the project. As detailed below, the analysis reviewed the six criteria for determining when “exceptional circumstances” exist such that a disposition of Article 97 land may be appropriate.

- *The Proponent of the disposition must conduct an analysis of alternatives, commensurate with the type and size of the proposed disposition, that achieve the purpose of the disposition without the use of Article 97 land, such as the use of other land available within the appropriate market area;*

All of the alternatives for constructing a new drain reviewed by the Proponent included a new outfall into the Charles River and required an easement on DCR land. According to the DEIR, the Expansion of Existing SDO-01 Outfall and Independent Augmentation Alternatives would have greater impacts and require larger easements on parkland and the Open Channel Alternative would have similar impacts to parkland as the Preferred Alternative. The structures within the easement will be below ground and will avoid permanent impacts to surface-level activities on SFR and the PDW.

- *The disposition of the subject parcel and its proposed use may not destroy or threaten a unique or significant resource (e.g., significant habitat, rare or unusual terrain, or areas of significant public recreation);*

Permanent structures will be located underground and will not affect transportation or recreational uses of the Charles River Reservation. The PDW will be re-routed during construction to maintain bicycle and pedestrian routes through the area and detours will be provided for vehicles when necessary due to construction activities. The outfall will extend 30 feet into the Charles River at a depth of seven ft and its end will be tapered to minimize impacts to navigation in the river. The bank of the river, PDW, and SFR will be restored upon completion of construction. The Proponent will install an HDS on a section of DCR’s drainage system, construct a new guardrail and median on SFR from the Western Avenue Bridge to a point 75 ft south of Cambridge

Street and replace two light poles. Construction impacts to water quality and aquatic habitat will be minimized by using a cofferdam and silt curtain to contain suspended sediment and adhering to any Time-of-Year restrictions specified by permitting agencies, including MassDEP and ACOE.

- *Real estate of equal or greater value, and of significantly greater resource value is granted to the disposing agency;*

According to the ENF, the proposed easement area is undergoing an appraisal to determine its fair market value. The ENF included a commitment by the Proponent to provide DCR with a fee compensation based on the appraisal and a multiplier to be determined in consultation with DCR.

- *The minimum necessary area of Article 97 land should be included in the disposition and the existing resources continue to be protected to the maximum extent possible;*

The project will not require new permanent structures above ground and the Preferred Alternative minimizes the area of the easement compared to other alternatives.

- *The disposition serves an Article 97 purpose or another public purpose without detracting from the mission, plans, policies and mandates of EEA and its appropriate department or division; and*

The new drain and outfall will address deficiencies in the conveyance capacity of the BWSC drainage system that result in surface ponding and flooding of the drainage area under existing conditions.

- *The disposition is not contrary to the express wishes of the person(s) who donated or sold the parcel or interests to the Commonwealth.*

The ENF indicated that the project meets this criterion, but did not document this assertion. The Proponent should provide such documentation to DCR.

As recommended by to DCR, the Proponent should develop a robust public communications program to inform the public about impacts to navigation and roadways before construction commences. The Construction and Access Permit for this project will not be issued until after Article 97 legislation authorizing the conveyance of the easement has been enacted and the land disposition finalized.

### *Wetlands and Waterways*

Construction of the culvert and outfall will temporarily impact 77 lf of Bank and 26,536 sf of Riverfront Area during construction of the project. The Bank will be restored using an erosion control mat with native plantings and the Riverfront Area will be restored to its current condition with either plantings or paved surface. Permanent impacts to LUW include 1,253 sf associated with the footprint of the new outfall and 481 sf where pilings supporting the construction platform will be cut below mudline and left in place. Approximately 228 cy of

sediment will be dredged from a 34.4-ft by 30-ft area of river bottom. The ENF included the results of a chemical analysis of sediments in the outfall location. The data indicate the presence of contaminants in the sediment, including extractable petroleum hydrocarbons (EPH), metals, and polycyclic aromatic hydrocarbons (PAH); however, according to the ENF, the concentrations of contaminants do not pose significant environmental concerns and will determine the appropriate reuse or disposal method of the material. In-water construction activities will be confined to an enclosed cofferdam surrounded by a silt curtain to minimize impacts to water quality and adjacent wetland resource areas. The Boston Conservation Commission and MassDEP will evaluate construction impacts and impose mitigation requirements in the Wetlands Protection Act and 401 WQC permitting processes.

Several commenters expressed concern with potential impacts to rowers and boaters due to the presence of the cofferdam, barges and silt curtain along the shore in a narrow section of the river. During the review period, the Proponent clarified that structures are anticipated to be in the river for 13 months of the two-year project construction period. The ENF included a commitment to minimize interruption to users of the river, but did not identify specific mitigation measures. The project will require a CAP from DCR and a c.91 License from MassDEP which will specify measures to minimize impacts to public access and navigation. I encourage MassDEP and DCR to require the Proponent to implement mitigation measures during the construction period to avoid, minimize and mitigate potential impacts to navigation to the extent practicable, including but not limited to: locating construction barges parallel to the shoreline, communicating weekly construction updates regarding significant changes in potential impacts to the water-sheet, installation of hazard avoidance lighting on the cofferdam and floating silt boom, and minimizing how far the silt boom goes out into the river.

#### *Stormwater*

The ENF included a map showing catchment areas in the project vicinity under existing and proposed conditions. The project will not expand the area of any catchment area and will therefore not result in an increase of stormwater flow directed to the river. Stormwater from the North Allston neighborhood west of Rena Park is currently directed to a 72-inch diameter drain that connects to smaller diameter pipes north of Western Avenue before discharging into the Charles River. The Harvard-owned land described above drains through two systems that discharge through outfalls south of the River Street Bridge. Under proposed conditions, the North Allston neighborhood and the Harvard-owned land will be drained by the new storm drain and the drainage systems north of Western Avenue and south of Cambridge Street will have smaller catchment areas. According to the ENF, the proposed storm drain has been designed to convey runoff from a 10-year, 24-hour storm (5.2 inches of rain), which will add drainage capacity to more effectively convey peak flows to minimize flooding.

According to BWSC, the proposed storm drain is a conveyance project, and is not addressed in the City's NPDES Municipal Separate Storm Sewer System (MS4) General Permit. However, the project has been designed in accordance with standards BWSC has developed that have been approved by EPA. The project includes installation of a 10-ft HDS near the western end of the proposed storm drain that is expected to remove 79.8 percent of the average TSS load; according to the ENF, combined with deep-sump catch basins maintained by BWSC in the catchment area, the new storm drain system will remove 84.8 percent of TSS. The ENF indicated that new connections to the storm drain or connections in the existing upstream section are



subject to regulatory requirements for stormwater quality, including BWSC requirements for sites to infiltrate the first 1.25 inches of rainfall and TSS removal.

### *Climate Change*

The City's online Climate Ready Boston Map Explorer (<https://www.boston.gov/departments/environment/climate-ready-boston-map-explorer>) indicates that the site currently experiences stormwater flooding but will not be affected by coastal flooding under modelled conditions in 2030, 2050 or 2070 because the Charles River Dam will prevent inundation related to sea level rise. According to the ENF, the 10-year, 24-hour storm used to design the project is a higher standard than has been previously used for similar projects and does not account for BWSC requirements for on-site infiltration and other stormwater management measures that will minimize flows entering the storm drain.

### *Construction Period*

The western section of the storm drain will be installed within an area that may contain contaminated soil and groundwater associated with its former use as a railyard. The ENF indicated that soils in this area contain asbestos and other metals that may require special handling, storage and disposal methods and that dewatering will be required due to high groundwater levels. The City should review the requirements for asbestos remediation and disposal and management of releases of hazardous materials subject to M.G.L. c. 21E and the Massachusetts Contingency Plan (MCP). The Proponent should require its contractors to develop a spill prevention plan to minimize releases of fuel or other liquids during the construction period. All construction and demolition activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017).

The project should include measures to reduce construction period impacts, including noise and dust. The Proponent should implement noise mitigation measures such as minimizing truck idling and turning off compressors or other equipment when not in use. The Proponent should implement measures to minimize emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). Contractors should be required to use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). All construction activities should be undertaken in compliance with the conditions of all State and local permits. I encourage the Proponent to reuse or recycle construction and demolition (C&D) debris to the maximum extent. As recommended by MassDOT, the Proponent should consult with the MassDOT District 6 Office prior to commencement of construction to address activities potentially affecting state highways.

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on review of the ENF and comments received on it, and in consultation with State Agencies, I have determined that an EIR is not required. Remaining issues can be addressed through the local, state and federal permitting and review processes.

*K. Theoharides*

March 12, 2021

Date

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Kathleen A. Theoharides

## Comments received:

03/01/2021 Department of Conservation and Recreation (DCR)  
 03/01/2021 Jennifer Pieszak  
 03/02/2021 Allston Brighton Health Collaborative  
 03/02/2021 Barbara Parmenter  
 03/02/2021 Massachusetts Board of Underwater Archaeology (BUAR)  
 03/02/2021 Community Rowing Inc.  
 03/02/2021 Charles River Alliance of Boaters  
 03/02/2021 Charles River Watershed Association (CRWA)  
 03/02/2021 Ed Kotomori  
 03/02/2021 Head of the Charles Regatta  
 03/02/2021 Massachusetts Water Resources Authority (MWRA)  
 03/04/2021 Senator Sal DiDomenico, Middlesex and Suffolk District  
 Representative Mike Moran, 18<sup>th</sup> Suffolk District  
 03/09/2021 Massachusetts Department of Transportation (MassDOT)

KAT/AJS/ajs



March 2, 2021

Secretary Kathleen A. Theoharides  
Executive Office of Energy and Environmental Affairs  
Attn: Alex Strycky, MEPA Office  
100 Cambridge Street, Suite 900  
Boston, Massachusetts 02114

Re: EOEEA #16319 North Allston Storm Drain Extension Project ENF

Dear Secretary Theoharides:

The Department of Conservation and Recreation (“DCR” or “Department”) is pleased to submit the following comments in response to the Environmental Notification Form (“ENF”) submitted by the Boston Water and Sewer Commission (“BWSC”) (the “Proponent”) for the North Allston Storm Drain Extension Project (the “Project”).

As described in the ENF, the Project proposes the construction of a new trunk storm drain system that will collect runoff and convey the upstream neighborhood flows, along with runoff from 500 Soldiers Field Road and the frontage along the west side of Soldiers Field Road, to a new BWSC-owned outfall discharging to the Charles River. The new storm drain system will be constructed by Harvard University and then transferred to BWSC. DCR previously issued a permit to Harvard University for geotechnical borings which were needed in order to design the project. Portions of the new culvert and the outfall itself are located within DCR’s Charles River Reservation. The new culvert and outfall will require a 0.19-acre easement from DCR.

Communication among DCR’s Design & Engineering and Park Operations, Harvard University, the Project design team, and the Proponent has been ongoing during the past two years. Items of discussion and coordination include potential impacts of the Project on Charles River water quality, shoreline vegetation, temporary impacts to navigation, traffic and parkway operations. DCR recommends that BWSC and Harvard University develop a public communication program prior to Project implementation. DCR will continue to coordinate with the partners listed above.

#### **Article 97 Land Disposition**

Transfers of interests in state conservation property must meet the requirements set forth in the Executive Office of Energy and Environmental Affairs (“EEA”) Article 97 Land Disposition Policy (the “Policy”). The Policy has the stated goal of ensuring no net loss of Article 97 lands under the ownership and control of the Commonwealth, and states as a general premise that EEA and its agencies shall not sell, transfer or otherwise dispose of any right or interest in Article 97 lands. Transfer of ownership or interests therein only may occur under exceptional circumstances, as defined in the Policy, including the determination that no feasible alternative is available, and a minimum amount of land or an interest therein is being disposed for the proposed use. Transfer also requires authorization by the Massachusetts Legislature through a two-thirds supermajority roll call vote.

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

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[www.mass.gov/orgs/departement-of-conservation-recreation](http://www.mass.gov/orgs/departement-of-conservation-recreation)

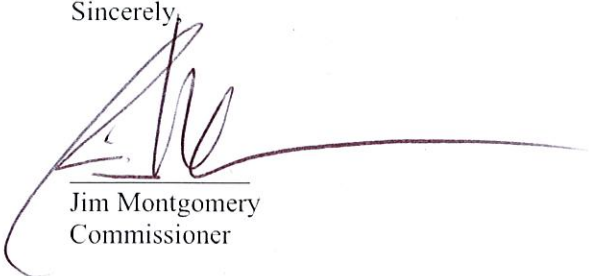


Charles D. Baker Governor	Kathleen A. Theoharides, Secretary, Executive Office of Energy & Environmental Affairs
Karyn E. Polito Lt. Governor	Jim Montgomery, Commissioner Department of Conservation & Recreation

DCR finds acceptable the granting of an easement over the subject property and will continue to work with the Proponent to ensure that any such disposition is compliant with EEA's Article 97 Policy. DCR will not issue a Construction and Access Permit for this Project, required for work activities on DCR property, until MEPA review is complete and Article 97 legislation has been enacted.

Thank you for the opportunity to comment on the ENF. Please contact Deputy Chief Engineer Rob Lowell at [robert.lowell@mass.gov](mailto:robert.lowell@mass.gov) regarding design considerations. Please contact the Director of Construction & Access Permitting, Sean Casey at [sean.casey@mass.gov](mailto:sean.casey@mass.gov) regarding DCR Construction and Access Permits. Questions related to Article 97 can be directed to Land Protection Specialist Jim Comeau at [james.comeau@mass.gov](mailto:james.comeau@mass.gov).

Sincerely,



Jim Montgomery  
Commissioner

Cc: James Comeau, Rob, Lowell, Sean Casey, Priscilla Geigis, Patrice Kish, Tom LaRosa (DCR)

March 1, 2021

Secretary Kathleen A. Theoharides Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston MA 02114

Subject: Comments to: Boston Water and Sewer Commission  
North Allston Storm Drain Extension Project, Boston, MA  
MEPA Environmental Notification Form for Project # 16319

Dear Secretary Theoharides:

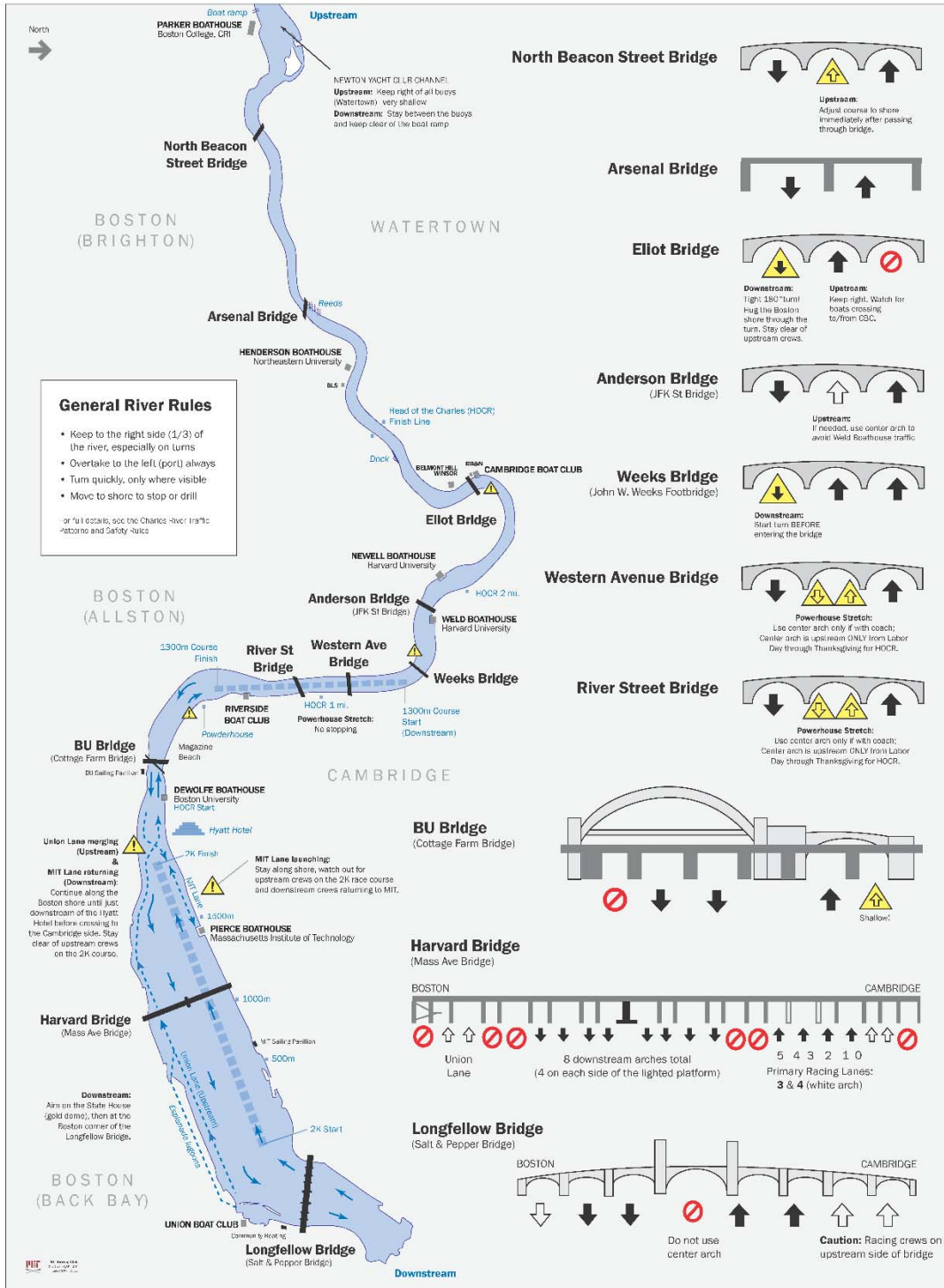
I am submitting my written comments to the North Allston Storm Drain Extension Project, Boston, MA and ask that this project not be approved as submitted in the ENF #16319 and to recommend investigation of alternative plans, coordinated with the adjacent MassDOT Allston Multimodal project in order to provide a solution with less negative impacts on the Charles River, the adjacent parkland, and the community which it serves. My comments are as follows.

**Purpose and Need:** While the intent of this project is to replace an existing undersized catchment system and expand capacity for future development south of Western Avenue, the BWS has not demonstrated the immediate need for this project other than to address the longstanding undersized stormwater system and enhance the ability for Harvard to develop land under its control. No documentation or citations of flooding or damage accompany this application. No mention of the adjacent MassDOT Allston Multimodal project has been made nor has reason given that this project cannot be coordinated with the MassDOT's plan to upgrade storm water outlets and replace the 60" diameter MWRA pipe that this project references in the site conditions and plans.

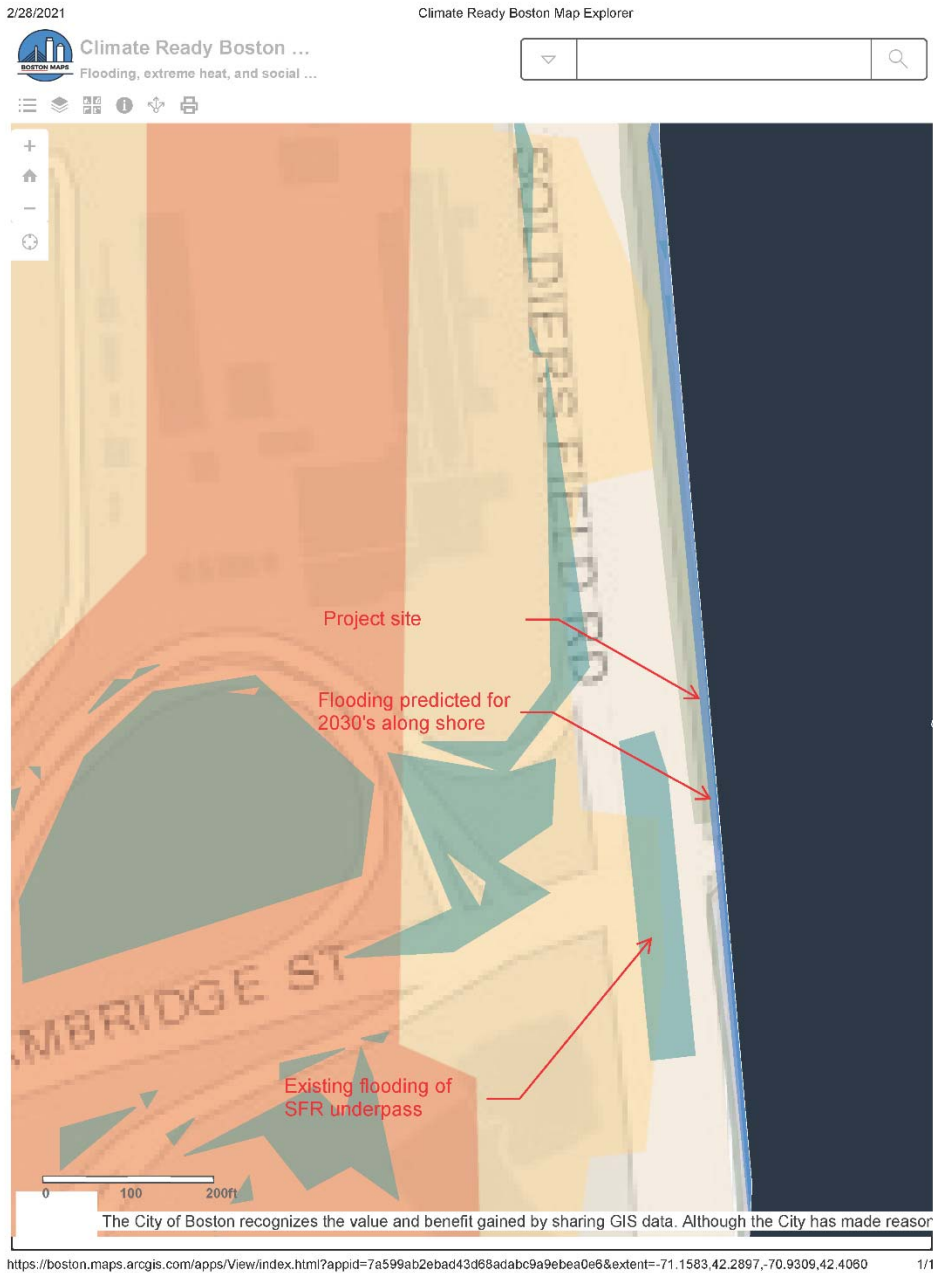
**Existing Site Conditions:** This application would be better served with maps and graphic documentation of the area the catchment would serve and the locations of existing and proposed outfalls. While the description of the location along the river seems expansive as noted at 340 feet wide, it is in fact one of the narrowest and intensely used sections of the Charles River, between Cambridge and Boston, known for its 1300m racecourse as Power House Stretch. It is so narrow, that the regulations for the rowing community are to never stop or turn around in this stretch due to the narrowness and volume of boating and rowing traffic. See attach Charles River Association of Boaters regulations.



# Charles River Rowing Traffic Pattern



**NASDEP Design:** The modeling was based on the static water level of the Charles River, although as an avid rower, my experience is that the river level is rarely static, and at this date currently at higher levels than standard. During the extent of the pandemic – staffing at the locks has been reduced and water levels have rarely been reduced by opening of the locks. With rising sea levels, lowering the Charles River will not be able to achieved to lower levels as previously done in the past. Review of the Boston Climate Ready map demonstrates that there is already moderate flooding of the underpasses at Soldier’s Field Roadway at Cambridge St and Western Ave, no mention is made that the site as currently proposed will be impacted by flooding by the 2030’s.



There are no acknowledgements that pre-emptively lowering the Charles River to handle an increased volume of stormwater with this new outlet can have negative effects upstream of the site. Lowering the

river tends to increase current speed in the narrower segments upstream (Eliot Bridge to Watertown Square). During the summer of 2019, Charles River levels were preemptively lowered in anticipation of large storms that ultimately missed the Charles River watershed, and failed to restore water levels. The river lowering resulted in an extended duration of lower water levels aggravated further by the 2019 drought. Shallower water leads to more restricted navigation lanes to avoid hazards leading to less safe conditions where rowers and boaters share the same stretch of river. Shallower water during the drought's increased heat led to detrimental warmer water temperatures for aquatic animals. Invasive water plants took advantage of shallower, warmer water to expand their footprint. This exponential growth continued into 2020 in the area between the Watertown and Newton marinas, resulting in continuous matts of growth that obstructed most of the previously navigable waterway.

**Proposed Site Conditions:** The proposed 14.5x 6.5 high box culvert will need to be placed at a sufficient depth to pass below the 60" MWRA Water main. Why is this work being proposed now when MassDOT is in the process of being relocated by the MassDOT Allston Multimodal project? Per the MassDOT's design Alternative matrices: Throat Area Alternative Analysis, October 1, 2020, for the Modified At-Grade proposal which is actively supported by the City of Boston and the community at large, details the changes proposed for the utilities. The submitted plan does not acknowledge that the work between adjacent projects should be coordinated.

No mention has been made in this submission regarding the extent of the project site's contaminated soils. From Harvard's own filing, Harvard University Interim Update Report, EEA#14609, the soil in this area is comprised of "urban fill" consisting of coal, ash and debris and that there is contaminated ground water as a result.

**Construction Information and Schedule:** The crane platform and pile installation of 1,994 SF in the water do not mention the standard practice use of a turbidity curtain, which is intended to extend into the river around the construction area in a 100' radius. This is a huge hazard in the narrowest, most heavily trafficked portion of the river.

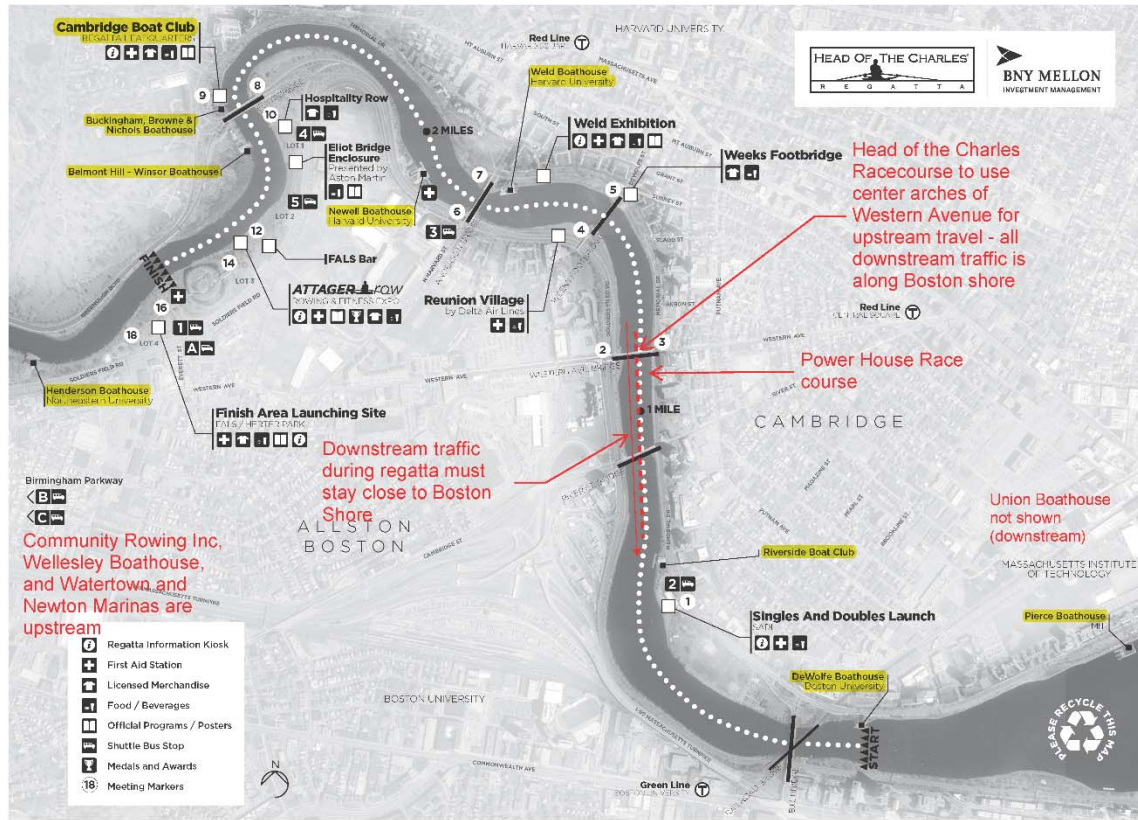
No acknowledgement is made in this document of the diverse and vibrant community of river users making use of this wonderful natural resource. It does not show the Head of the Charles race course passing through the Power House Stretch, or the 1K race course used by the Cromwell Cup Regatta and high school rowers that overlaps with the proposed storm water construction project.

It appears that this the project team has little awareness that the Head of the Charles that occurs annually (with the exception of years with pandemics) at the end of October is the world's largest two-day regatta, or that it features 11,000 competitors, 1,700 volunteers, and 225,000 spectators spending \$72 million in our local economy (per the Greater Boston Convention and Visitors Bureau). This is clear in the project team's stated intent to begin construction in September 2021. During HOCR, buoys demark upstream travel in the Power House Stretch to approximately 2/3 the width of the river, relegating all of the competitors to use the narrow band along the Boston shore to reach the regatta start below the Boston University Bridge.

Additionally, 4,000 rowers are using the Charles each day during the rowing season (April through November), inclusive of the US Para-Rowing training facility at Community Rowing Inc., and the



WeCanRow breast cancer survivors out of Boston University's boathouse, in addition to high school, collegiate, and recreational rowers (according to the Charles River Alliance of Boaters).



FIFTY-FIFTH HEAD OF THE CHARLES REGATTA Race Course Map

Due to the agreed upon patterns of navigation of the Charles River waterway, rower must pass closely to the Boston shore in order to be correctly aligned with passage through both the Western Avenue and River Street bridges. The proposed platform will impede safe navigation of the bridge arches.

Why is this project proceeding without consultation or engagement of the river community as it impacts the safety of thousands of river users every day? Why is there no mitigation plan in place so that the head of the Charles Regatta can not be impacted?

**Alternative Analyses:** All of these alternatives offer some benefits over the proposal as submitted, and it appears that interim upstream improvements can happen to improve localized flooding. The MassDOT Allston Multimodal project is looking at a more resilient solutions that deals with storm water run-off a more comprehensive, environmentally responsive way than simply dumping large amounts of rainwater

run-off into the Charles River. Addressing stormwater closer to the source and allowing for greater infiltration into the groundwater and filtration of containments will reduce the need for a culvert of the size proposed and with cleaner water entering the waterways.

**Construction Methodology:** No mention of adjacent MassDOT project which is in the funding phase. No mention of dealing with contaminated soils or toxic groundwater during dewatering.

**Construction Period - Coffe Dam:** No mention is made regarding the size (100' radius) and the obstruction it represents to the boating and rowing community. Barges for staging construction are mentioned, but these increase the amount of obstruction is this narrow stretch of intensely used river.

I would suggest your office request that the BWS team reconsider resilient alternative options to be coordinated with the MassDOT Allston Multimodal projects to find a coordinated solution to resolving this complex engineering project. There is no reason that two large Charles River stormwater projects that are located immediately adjacent to each other cannot be coordinated civil construction projects.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Pieszak". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jennifer Pieszak  
123 Davis Avenue  
Brookline, MA 02445

T: 617-277-3301

E: [jennifer.pieszak@gmail.com](mailto:jennifer.pieszak@gmail.com)

**From:** [Anna Leslie](#)  
**To:** [Strycky, Alexander \(EEA\)](#)  
**Cc:** [Michael Moran](#); [Liz Breadon](#); [Jennifer Migliore](#); [hatf2021@gmail.com](mailto:hatf2021@gmail.com)  
**Subject:** North Allston Drain Extension Project (NADEP) ENF comments - EEA 16319  
**Date:** Tuesday, March 2, 2021 2:58:02 PM

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North Allston Drain Extension Project (NADEP) ENF comments - EEA 16319

Dear Mr. Strycky,

I'm submitting the following comments as Director of the Allston Brighton Health Collaborative.

Community engagement on this project is nonexistent. Speaking to a select group of informed stakeholders is not community engagement. This project team must take significant steps to engage the N Allston and Cambridge communities in the process and its impacts.

There must be a full EIN required MEPA for this project. The drain extension project does not exist in geographic isolation. It has environmental, transportation, and infrastructure impacts beyond the project footprint. There is demonstrated relationship to the ERC project and they must be examined in conjunction, not in isolation. If the projects are being examined in conjunction, then the public needs to be provided with that information and concerted effort must be made to inform the public of that analysis.

I find no way to support this project with such basic information missing, and the equitable outreach to make the information known.

Thank you,  
Anna Leslie

--

Anna Leslie, MPH  
Director, [Allston Brighton Health Collaborative](#)  
617-515-5321

[Allston Brighton Community Calendar](#)

The Allston Brighton Health Collaborative is a collaboration of organizations devoted to working together to promote and improve the health and wellbeing of the communities of Allston and Brighton. We achieve this by working in partnership and by engaging the residents of Allston and Brighton in order to identify the needs of the community and to create programming to address those needs.

**From:** [Barbara Parmenter](#)  
**To:** [Strysky, Alexander \(EEA\)](#)  
**Cc:** [Michael Moran](#); [Liz Breadon](#); [kevin.honan@mahouse.gov](mailto:kevin.honan@mahouse.gov); [Will Brownsberger](#); [jemigliore91@gmail.com](mailto:jemigliore91@gmail.com); [Tim McHale](#); [Tony D'Isidoro](#)  
**Subject:** North Allston Drain Extension Project (NADEP) ENF comments - EEA 16319  
**Date:** Tuesday, March 2, 2021 11:38:33 AM

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### **North Allston Drain Extension Project (NADEP) ENF comments - EEA 16319**

Dear Mr. Strysky,

I have read the Environmental Notification Form for the North Allston Drain Extension Project (NADEP) - EEA 16319 - and would like to submit the following comments:

1. First and foremost, I believe that MEPA should require a full environmental impact report for the NADEP project. This project and the directly related project for the development of Harvard University's Enterprise Research Campus will have a tremendous environmental, social, and economic impact on Allston, and these impacts need more detailed analysis, detailed impacts, and further consideration of alternatives. I am submitting separate comments on the Enterprise Research Campus (EEA # 16320), but they are very much related.
2. The NADEP should be explicitly connected to Harvard's ERC development - the EIR should explain how it relates to the development, timing of phases, the impact of increased impervious cover over the course of development, and how open space planning within the new development could impact pipe plans or enhance alternatives
3. An EIR is needed to analyze more intense weather events than what has been done to date in the filing (10 year event) - [Climate Ready Boston Map](#) shows this area extremely vulnerable to increased stormwater flooding over the next century. These future conditions have not been adequately analyzed.
4. There is a specific lack of detail on how pollutants like phosphorus will be addressed (the statements in the ENF seem more aspirational than informative). Again this needs to be tied in directly to the development of Harvard's Enterprise Research Campus (ERC)
5. Inadequate alternatives analysis. The alternative option of low-impact design conveyance channel assumed that the development parameters (ERC) are set in

stone and will not allow the space needed for such a channel, but Harvard's ERC could make space - that's why it is so important to consider these two projects together. Or at least the provision of additional space could be explored to make it a potential option. The other disadvantages of the conveyance channel alternative seemed fairly minor. Certainly community members want more green space and less dense development. I would like to see a more clear discussion of that particular alternative in an environmental impact report. There are additional alternatives in use in similar development projects in the area (e.g., Somerville Union Square) that have not been considered at all and should be.

6.

Concerns over impacts during the construction period - I would like to see the EIR provide more documentation on construction staging and potential impacts, including construction period de-watering.

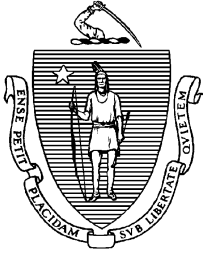
7.

Inadequate public engagement - I am very involved in local development issues, and I have seen virtually no public discussion around this project, only the ENF notice, which I then had to track down and ask Epsilon Associates for the full report. The BWSC needs to engage in a much more broad based discussion of the project and potential alternatives and impacts. The EIR should contain a detailed plan for this discussion.

Thank you for this opportunity to comment,

Barbara Parmenter  
77 Harriet St.  
Brighton, MA

Member, Harvard Allston Task Force  
Member, Allston Brighton Health Collaborative Transportation Committee  
Member, 350 Mass - Boston Node, Allston Brighton Working Group  
Steering Committee member, Brighton Allston Community Coalition



The COMMONWEALTH OF MASSACHUSETTS  
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
251 Causeway Street, Suite 800, Boston, MA 02114-2199  
Tel. (617) 626-1014 Fax (617) 626-1240 Web Site: [www.mass.gov/czm/buar/index.htm](http://www.mass.gov/czm/buar/index.htm)

March 2, 2021

Secretary Kathleen A. Theoharides  
ATTN: Alexander Strycky, MEPA Unit (by email attachment)  
100 Cambridge Street, Suite 900  
Boston, MA 0211453

RE: North Allston Storm Drain Extension Project, Boston (EEA# 16319)

Dear Secretary Theoharides,

The staff of the Massachusetts Board of Underwater Archaeological Resources has reviewed the above-referenced proposed project as detailed in the *Environmental Monitor* of February 10, 2021 and offers the following comments.

The Board has conducted a preliminary review of its files, the MHC's Massachusetts Cultural Resource Information System (MACRIS), historic charts and maps, aerial imagery, and secondary literature sources to identify known and potential submerged cultural resources in the underwater portion of the proposed project area. No record of any underwater archaeological resources was found. Based on the results of this review, the Board expects that this project is unlikely to impact submerged cultural resources.

In the event that heretofore-unknown submerged cultural resources are encountered during the course of the project, the Board expects that the project's sponsor will take steps to limit adverse effects and notify the Board and the Massachusetts Historical Commission, as well as other appropriate agencies, immediately, in accordance with the Board's *Policy Guidance for the Discovery of Unanticipated Archaeological Resources*.

The Board appreciates the opportunity to provide these comments as part of the MEPA review process. Should you have any questions regarding this letter, please do not hesitate to contact the Board at the address above or by email ([david.s.robinson@mass.gov](mailto:david.s.robinson@mass.gov)).

Sincerely,

A handwritten signature in blue ink, appearing to read "David S. Robinson".

David S. Robinson  
Director

/dsr

Cc: Brona Simon, MHC  
Ellen Berkland, DCR (by email attachment)



Community Rowing Inc.

---

Via Email

March 2, 2021

Alex Strysky,  
Environmental Analyst, MEPA Office  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
alexander.strysky@massmail.state.ma.us

Community Rowing, Inc. welcomes the opportunity to comment on the North Allston Storm Drain Extension Project. We write to express concerns with the project as proposed which envisions a large outflow into the river with a two year construction phase. Our concerns fall into three categories

-Environmental Impact Report. Many details of how the project is designed and its impact on the river are unclear. An Environmental Impact Report must be required so stakeholders can evaluate the long term effects this project will have on the river. The health of the Charles River has come a long way but continued vigilance is necessary. A thorough and holistic analysis of the scope of this project and how it will fit with the anticipated development of the catchment area is critical.

- Construction staging. The ENF is unclear on the full scope and timeline for construction, particularly in regard to intrusion into the Charles River. Page 9 mentions a turbidity curtain enclosing a 25,000 sf area including the cofferdam, crane platform and work barges. If installed at this scale, it would block up to 1/3 of the river in one of the most heavily trafficked sections for as much as two years. Other communications have indicated that the intrusion may be as little as a quarter of this size. The lack of information on the scope is troubling, and makes it difficult to properly evaluate the effect it will have on river users. As proposed the staging is a prohibitive safety concern - more detail and mitigation strategies must be made clear. The traffic pattern in this section of the river is divided into equal thirds with the center lane reserved for powerboats and with rowers taking the Boston third heading downstream and the Cambridge third heading upstream. Most rowing shells are steered by athletes who are facing in the opposite direction of travel so margins of safety are critical. If construction constricts or blocks the downstream 'lane' it will force all traffic, consisting of hundreds of boats daily, together into two 'lanes'.

- Water treatment. Additional detail is needed on strategies to eliminate sedimentation and pollutant flow into the river. Sedimentation has built up at outflows throughout the lower basin, it should be made clear how this project will not contribute to the river getting more narrow and increasingly shallow. Hydrodynamic separators need regular maintenance and are subject to scouring in high flow events. The ENF targets a peak removal of 84% of solids, real life performance will likely be lower. It should be made clear how future maintenance will be supervised and funded. Provisions should be made to isolate pipes from the river for full inspection and sediment removal before those particulates can make it into the Charles. Given the poor record of maintenance at other outflows on the river, remediation of other sites that have begun to show sedimentation should be included in this project.

Community Rowing Inc. (CRI) is dedicated to the belief that the sport of rowing provides unique opportunities to promote personal and community growth through teamwork, discipline, and physical fitness. We are committed to making these opportunities available to all. CRI has become one of the largest rowing organizations in the United States, annually serving more than 12,000 people from 14 Massachusetts congressional districts.

CRI is committed to its mission of enriching the greater Boston community to provide broad-based programs for youth and adults regardless of background, life experience, or ability. The health of the river is critical to the fabric of the Boston community and those whose lives are affected by your decisions.

Thank you for your consideration.  
Sincerely

Ted Benford  
Executive Director

Kane Larin  
Director of Special Projects and Relationships

---

HARRY PARKER BOATHOUSE | 20 NONANTUM ROAD | BRIGHTON, MA 02135 | T 617.779.8267 | F 617.779.8269

WWW.COMMUNITYROWING.ORG



## CHARLES RIVER ALLIANCE OF BOATERS

March 2, 2021

Alex Stryisky,  
Environmental Analyst, MEPA Office  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Re: Comments on North Allston Storm Drain Extension Project (EEA No. 16319) Environmental Notification Form

Dear Mr. Stryisky:

The Charles River Alliance of Boaters (CRAB) is a coalition of individuals and organizations that use the water sheet of the Lower Charles River Basin, between the Watertown Dam and the New Charles River Dam. CRAB is comprised of 13 rowing boathouses, 4 sailing boathouses, 4 yacht clubs, a kayak/canoe/paddleboard rental vendor with two locations, and their more than 75,000 participants. In addition, there are 2 commercial tour boat operators and partnerships with environmental stewards. Originally started as an ad hoc confederation more than 25 years ago, we are an IRS-recognized non-profit today. Our mission is to encourage safe and accessible boating by the entire community on the Lower Basin of the Charles. This includes power boaters, sailors, rowers, paddlers, and others, working together to keep the Charles River a healthy resource for the enjoyment of boaters and park users alike.

The Lower Basin of the Charles River is likely the most active recreational waterway in the country. On a typical day, there are more than 5000 rowers, 500 sailors, and 500 paddlers somewhere on the water sheet. As the water quality has improved over the last 5 decades, recreational use has grown tremendously. As a community, we need to continue improving the quality of the water and the ecosystem of the river, as well as stormwater and flood management and climate resilience, so that the Charles River continues to be a crown jewel of recreational activity.

The proposed North Allston Storm Drain Extension Project (NASDEP) involves construction of a new outfall on the western bank of the Charles River between the Western Avenue Bridge and the River Street Bridge. The proposed drain will redirect runoff from the 164 acre catchment area located on the south side of Western Avenue that currently discharges to the Charles River north of Western Avenue via two outfalls. The culvert will extend into the river, below the surface, tapered to match the profile of the existing bank with a stabilization mat extending further into the river to prevent scouring. This drain structure itself will not interfere with boating activities. However, we do have several concerns about other aspects of this project.



Our primary concern is the effect of this new drain on the environment of the Charles River with a potential increase in sediment, floating trash, oil, and other pollutants entering the river through this new storm water drain.

The inclusion of a hydrodynamic separator is a good first step to remove sediment, but it will still allow 20% of the suspended solids to pass through to the river. And that's the best case scenario which assumes dutiful and proper maintenance of the drainage system. We would like to see a commitment from BWSC to vigilantly maintain catch basins throughout the drainage area. We also encourage BWSC to upgrade the drain to include stoplogs to facilitate better routine maintenance. The track record of various agencies to maintain the outfalls in the river is abysmal, and while many of the outfalls are the responsibility of agencies other than BWSC, past performance does not generate confidence. As an example, two outfalls near the proposed drain have significant sedimentation: the Western Avenue local drainage (just north of the Western Avenue Bridge on the Boston side) and the Smelt/Salt Creek Drainage (south of the River Street Bridge). The Smelt/Salt Creek Drainage is also a source of floating trash. Further downriver, a broad sandbar has formed at the mouth of the Muddy River and Shady Brook, where an area of 100 ft by 200 ft is less than 3 feet deep. Upriver at Faneuil Brook, the Commonwealth spent nearly a million dollars in 2016 to remove a sandbar that occupied half the river width and that sandbar is already rebuilding.

The statement by the project engineer, during the public meeting of 23 February, that floating trash would not be able to flow into the river is less than reassuring. While much trash would be screened by the individual catch basins, some will still enter the drain. With the turbulence associated with high flows, we would expect that this trash could easily enter the river, despite the culvert being under the surface of the river. Beyond the stipulation that BWSC is, and would be, compliant with the BWSC Stormwater BMP Recommendations Report approved by the EPA [footnote 2, page 7 of the ENF], there is no detail how this would be achieved. Furthermore, there is no discussion how the anticipated development of the Harvard Enterprise Research Campus will increase the stormwater runoff, and associated sediment, trash, and other pollution, and how such stormwater would affect the river.

As detailed on page 9 of the ENF, the proposed construction period is 24 months. It is assumed that obstructions in the river, including the coffer dam, the silt curtain, and project barges will be present much of that time period. Given the impact of these obstructions on the boating community (see below), we ask that strong consideration be given to shortening the proposed construction period through the use of accelerated construction methods. Shortening the time that the coffer dam and silt curtain are in the water would benefit the boating community.

In the third paragraph on page 9, the ENF states that "There will be no interruption to waterway users and navigation will be maintained throughout construction on the Charles River." In response to a question about the size and position of the silt curtain, one of the project engineers offered that "In this area, the river is about 340 feet wide so there will be ample room for river traffic to navigate." Furthermore, traffic analysis was done for traffic on the roadways as well as the Paul Dudley White Path, but it was merely assumed that the project would have minimal impact on boating. This perspective does not reflect the potential impact of the project on boating activities.

The section between River Street and Western Avenue is one of the busiest sections of the Charles River. Nearly every rower passes through this section every time that they are on the river. That's 5000 rowers, and nearly 100 boats, passing by the construction zone, twice, upriver and downriver, every day, typically in the early morning or late in the day. Add in a few dozen power boats and hundreds of kayakers throughout the day, and it's a busy active space. To manage all this activity, the Charles River

Alliance of Boaters has a traffic plan, initially developed 20 years ago and regularly updated. In the traffic plan, there are essentially three lanes, one for upriver rowers, one for down river rowers, separated by a bi-directional lane for power boaters. Most of the river bridges, including River Street and Western Avenue, have three arches so each lane is assigned an arch. This traffic pattern has been a key to our success in maintaining a high level of safety as traffic volume has exploded over the past decade. Keep in mind that rowers are travelling forward while facing backwards; lateral spacing to accommodate this is an important factor in our safety and traffic plan.

The coffer dam, silt curtain, and barges needed to build NASDEP are obstructions that would require that traffic compress laterally, reducing the safety margin. While rowers that are merely practicing can adapt, that section of the river is also the location of a 1200-meter race course, an arrow-straight course from south of the River Street Bridge to North of the Western Avenue Bridge. The lane through the Boston arches allows boats to travel downriver while this race course is being used. This section of the river is also used for other events, including the Head of the Charles Regatta and Riverside Boat Club's annual Cromwell's Cup.. CRAB can work with BWSC to modify our activities, but it requires more discussion than has happened to date.

On page 8, the ENF states that for a design storm of 5.2 inch rainfall in 24 hours, the peak aggregate discharge rate will increase from 247 cfs to 392 cfs, and the peak aggregate flood rate would decrease from 480 cfs to 331 cfs, while the total flood volume would be cut in half. How will the increased discharge rate affect current and water flow in the Charles River? Will this adversely affect boaters, especially rowers and kayakers? While it might be assumed that boaters would not be using the Charles during and immediately after such an extreme rain event, what would be the consequence of smaller rain events where boaters are still likely to be using the Charles River? It is disappointing that no such consideration was included in the ENF. It leaves us not knowing how the water flow from the NASDEP might affect boaters.

Given the potential for increased discharge into the river, especially with the anticipated new development of the Harvard Research Enterprise Campus, we feel that the project should execute an Environmental Impact Report. We ask that MassDEP require such a review and that it address the following:

- The impacts of increased flows on the Charles River and those who use the river;
- Future water quality conditions, including impacts from climate change and increased discharges to the Charles River;
- Compliance with water quality requirements, including how the project will comply with the Charles River nutrient TMDL and Charles River pathogen TMDL, and the BWSC NPDES permit for stormwater discharges;
- Construction period impacts, including staging and dewatering;
- Operation and maintenance of the proposed drainage system; and

It should be obvious from the unanswered questions posed in this letter, that there are details of this project and its potential impact that could benefit from a more thorough public comment process.

Submitted to alexander.stryzky@massmail.state.ma.us on March 2, 2021.

March 2, 2021

*Via Email*

Alex Strysky  
Environmental Analyst, MEPA Office  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
[alexander.strysky@massmail.state.ma.us](mailto:alexander.strysky@massmail.state.ma.us)

**Re: Comments on North Allston Storm Drain Extension Project (EEA No. 16319)  
Environmental Notification Form**

Dear Mr. Strysky:

Charles River Watershed Association (“CRWA”) submits the following comments on the Environmental Notification Form (“ENF”) for the North Allston Storm Drain Extension Project (“NASDEP”) located in Boston, Massachusetts filed with the MEPA Office on February 1, 2020. Based on our review of the ENF, we understand that the Boston Water and Sewer Commission (“BWSC”) proposes to construct a new 84” drain line that terminates in a proposed 14.5-foot wide by 6.7-foot high dual-chamber box culvert in the vicinity of Soldiers Field Road that serves as a new outfall that will discharge directly to the Charles River between 500 Soldiers Field Road and Cambridge Street. The proposed drainage system will redirect runoff from the catchment area located on the south side of Western Avenue that currently discharges to the Charles River north of Western Avenue via two outfalls.

***Secretary Should Require an Environmental Impact Report***

As proposed, this project does not currently meet or exceed a mandatory Environmental Impact Report (“EIR”) threshold per 301 CMR 11.03, however, an EIR should be required to fully evaluate the environmental impacts of and alternatives to a project of this scope and magnitude. An EIR is also necessary to fill critical information gaps that are not addressed in the ENF. As further discussed in the comments provided below, an EIR should be prepared to provide more information on:

- Compliance with water quality requirements, including how the project will comply with the Charles River nutrient TMDL and Charles River pathogen TMDL, and the BWSC NPDES permit for stormwater discharges;
- The environmental impacts of increased flows on the Charles River;
- Construction period impacts, including staging and dewatering;
- Impacts to wetlands resources areas and habitat;
- The relationship of the project to proposed development and redevelopment in the catchment areas;
- The current flooding issues the project is anticipated to remedy;

- How the project will mitigate impacts due to climate change;
- Operation and maintenance of the proposed drainage system; and
- Public education and engagement.

In the absence of an EIR, we would ask that BWSC address these items in subsequent permit applications. Alternatively, the Certificate could require BWSC to work directly with CRWA to address concerns through a collaborative approach.

***Water Quality Protection is not Adequately Addressed in EIR***

The proposed new outfall will discharge to segment MA72-36<sup>1</sup> of the Charles River,<sup>2</sup> which is an impaired waterbody requiring a TMDL according to the Massachusetts Year 2016 Integrated List of Waters for the following pollutants:<sup>3</sup>

Impairment	EPA TMDL No.
(Fish Passage Barrier*)	
(Flow Regime Modification*)	
(Non-Native Aquatic Plants*)	
Chlorophyll-a	33826
DDT in Fish Tissue	
Dissolved Oxygen	
Escherichia Coli (E. Coli)	32371
Fish Bioassessments	
Harmful Algal Blooms	33826
Nutrient/Eutrophication Biological Indicators	33826
Oil and Grease	
PCBs In Fish Tissue	
pH, High	
Phosphorus, Total	33826
Sediment Bioassay (Acute Toxicity Freshwater)	
Transparency / Clarity	33826
Unspecified Metals in Sediment	

Two Total Maximum Daily Loads (TMDLs) apply to this segment of the river:

- Total Maximum Daily Load for Nutrients In the Lower Charles River Basin, Massachusetts, June 2007 (EPA TMDL No. 33826); and
- Final Pathogen TMDL for the Charles River Watershed January 2007 (EPA TMDL No. 32371).

The United States Environmental Protection Agency (“EPA”) issued BWSC a National Pollutant Discharge Elimination System (“NPDES”) Permit (Number MAS010001), which became effective on October 29, 1999, authorizing stormwater and allowable non-stormwater discharges from its municipal separate storm sewer system (“MS4”). The permit expired five years later on October 30, 2004 and has been administratively continued as allowed by regulation. The permit contains several provisions directly applicable to the NASDEP project; however, the ENF does not explain how the project will comply with these permit provisions. Specifically, Part

<sup>1</sup> Note that the Water Resources section of the ENF incorrectly cites the discharge to segment MA72-38 of the Charles River.

<sup>2</sup> 6.1 miles from Watertown Dam (NATID: MA00456), Watertown, to the Boston University Bridge, Boston/Cambridge.

<sup>3</sup> Note that impairments with a \* do not require development of a TMDL.

I.B.2.a of the NPDES permit requires that BWSC's Storm Water Management Program ("SWMP") "shall include controls necessary to reduce the discharge of pollutants from the Municipal Separate Storm Sewer System to the Maximum Extent Practicable ("MEP") . . . The permittee shall select measures or controls to satisfy the following water quality prohibitions: No discharge of pollutants in quantities that would cause a violation of State water quality standards." (emphasis in original).

Page 7 of the ENF states that the "the NASDEP was designed in accordance with all BWSC design standards including sediment and phosphorus removal and requisite design storm modeling to serve a future catchment area of 164 acres (this future catchment area excludes HBS which will remain connected to the existing outfall)." The footnote to the sentence states that "BWSC design standards are in full compliance with the requirements of the BWSC Stormwater BMP Recommendations Report approved by the EPA on October 24, 2018 in accordance with the Consent Decree settlement in Conservation Law Foundation, Inc., et al. v. Boston Water and Sewer Commission, et al., C.A. No. 10-10250-RGS. The standards pursuant to that plan are designed to reduce phosphorus in stormwater runoff, with the goal of meeting the Total Maximum Daily Loads for the Charles River for phosphorus."

Pages 16 and 17 of the ENF provide a description of the two hydrodynamic separators that will be installed in the new drainage system as well as the existing drainage system as follows:

"A sediment removal BMP will be situated well outside of the Project Area, upstream of ALN and the new trunk drain, at the location from which the existing BWSC trunk drain will be extended. Consistent with the MA Stormwater Standards and in compliance with the more stringent BWSC/BPDA requirements, a Water Quality Rainfall Depth of 1.25 inches was adopted to calculate the "first flush" Water Quality Volume to be treated by the BMP.

A single 10-foot Downstream Defender ("DD"), or hydrodynamic separator, ("HDS") unit will be installed upstream near the NASDEP's connection to the existing drainage system in Science Drive. This unit is expected to remove 79.8% of the average annual post-construction TSS load, independent of any additional BMPs in the upstream catchment. Accounting for the upstream deep sump and hooded catch basins maintained by BWSC, it is expected that upon commissioning of the recommended sediment removal BMP, and the proposed trunk drain and outfall, the treatment train of the North Allston drainage system will achieve 84.8% TSS removal.

Additionally, as part of the mitigation for the Article 97 easement, a second HDS will be installed in the existing DCR SFR drainage system prior to discharge to an existing DCR outfall south of the NASDEP project. This HDS will add sediment and pollutant removal to the current SFR drainage system and allow for any proposed future drainage improvements by DCR."

Complete documentation of how the project is designed to reduce phosphorus in the discharge, including calculations, should be provided in an EIR. Documentation of how the project plans to address the Final Pathogen TMDL for the Charles River Watershed should also be provided. Finally, the EIR should explain how the project complies with Part I.B.2.a of BWSC's NPDES permit, which prohibits discharge of pollutants in quantities that would cause a violation of state water quality standards.

### ***Increased Discharges to the Charles River Pose Significant Environmental Impacts***

Sections titled “NASDEP Design” and “NASDEP Design Performance” on pages 7 and 8 of the ENF provide information on the sizing of the proposed new drainage infrastructure. Based on the information provided in these sections, as well as information missing from these sections, CRWA is concerned that the design is increasing the peak flows to the Charles River.

A table is provided on page 8 that shows three statistics related to the existing and proposed systems: peak aggregate discharge rate (cfs); peak aggregate flood rate (cfs); total flood volume (ac-ft). These values are presumably only for the 10-year ARI. The ENF is clear that “the peak rate at which flow can be discharged to the river will increase.” (Page 8). While the design will increase the capacity of the drainage system and reduce flood volumes in the catchment area, an increased peak flow to the Charles River is concerning. Increased peak flows have the potential to impact habitat and species in the River, as well, both chronically and during brief periods.

There are going to be environmental impacts from peak flows and those impacts have not been documented in the ENF. More information and additional calculations should be provided in an EIR that describe and quantify the impacts from additional ARIs under both present and anticipated climate change conditions. In addition, an EIR should document impacts of the increased discharge rate on the Charles River, as well as alternative methods BWSC intends to employ to store and infiltrate stormwater runoff throughout the catchments.

### ***Concerns about Construction Staging***

An EIR should provide more documentation on potential impacts to river uses during construction and provide figures showing construction staging extent. Currently, the ENF provides the following construction information and schedule at pages 9 and 10:

“To enable installation of the new culvert and outfall in the dry, a temporary coffer dam will be installed in the Charles River via a crane placed landside on top of the existing bike path and bank area. The crane will require a pile supported platform (40-feet by 40-feet) located to the north of the coffer dam sheeting. Eight of these steel piles will be installed in LUW. Additional LUW will be impacted from the crane platform and pipe-pile installation for a total of 1,934 s.f. of impact to Land Under Water. The remaining eight piles will be installed within RFA/Buffer Zone. Prior to the start of construction, a turbidity curtain will be installed within the river to contain silt and sediment that may be created by the pile and coffer dam installation enclosing an area of approximately 25,000 s.f.” Based on our reading of the ENF, the Charles River is approximately 340 feet wide at the location of the proposed outfall (Page 6).

The proposed construction plan will require significant intrusion into the Charles River which must be further evaluated in an EIR. The interests of river users and navigation must be considered. The ENF provides information on vehicle traffic management. What has not been accounted for is the significant boating and rowing traffic on the river itself. On a typical day, there are estimated to be more than 5,000 rowers, 500 sailors, and 500 paddlers somewhere on the water

sheet. We refer you to the comments being submitted by the boating and rowing community for further detail.

### ***Construction Period Dewatering Could pose a Significant Potential Source of Pollution to the Charles River***

Given that dewatering may discharge to the Charles River, we are concerned about the significant dewatering needs this project will encounter during the two years of construction. Few details are currently provided—page 16 of the ENF discusses construction period “Best Management Practices,” including the project’s need to obtain coverage under the EPA NPDES Construction General Permit; Pages 9 and 10 mention construction dewatering (“A dewatering system (type to be determined in consultation with selected site contractor, based on the requirement set by the project Geotechnical Engineer) will also be staged on the Service Road to Soldiers Field Road.”); and a number of locations discuss 24/7 dewatering needs and in-river dewatering needs. Further detail on construction period dewatering, including volumes, flow rates, anticipated water quality concerns, and potential impacts on the drainage system and river should be provided in an EIR.

### ***Concerns about Impacts to Wetlands Resources Areas and Habitat***

More analysis is needed to fully evaluate impacts to wetlands resource areas and habitat within and along the Charles River. As described in the ENF, the project is anticipated to temporarily impact 77 linear feet of Inland Bank and 1,936 square feet of Riverfront Area and permanently impact 1,934 square feet of Land Under Water (from structures including the stabilization mat and the 14.5-foot wide by 6.7-foot high dual-chamber box culvert).

These are potentially significant impacts. More information about the effects on the river’s natural ecology, as well as the affected resource areas, should be provided in an EIR. This information will also be necessary for the wetlands permitting process and evaluating mitigation options.

### ***More information is needed about the Relationship of the Project to Proposed Development and Redevelopment in the Catchment Area***

The ENF does not discuss specifically how this project relates to proposed development in the area—including, but not limited to, the Harvard Enterprise Research Campus (“ERC”), which was simultaneously filed with MEPA (EEA Number 16320)—despite a number of statements in the ENF that allude to future development in the catchment area, such as:

- Page 6: “Any future development actions in the catchment area will be required to go through the BWSC Site Plan Application process, undergo BPDA and any other applicable city and state review, and obtain additional permits as necessary.”
- Page 7: “Also, note that no allowances were made for the local attenuation of runoff within the ALN development area or the BWSC requirement of infiltration of 1.25 inches of total local rainfall depth. Therefore, the modelled inflows were conservative (i.e. greater) in comparison to the inflows that will likely occur.”

- Page 8: “The proposed system established by the NASDEP does not represent a final condition for the North Allston catchment, as BWSC intends to pursue localized drainage system improvements in the upstream neighborhood to further reduce the residual flooding shown for the proposed system in the future. The NASDEP will provide BWSC this opportunity to further alleviate upstream neighborhood flooding with future stormwater infrastructure improvements where no such opportunity existed before due to downstream capacity restrictions.”
- Page 10: “The scope and timing of future development in the ALN area outside this limited Project Area that will be served by this trunk drain has not yet been determined. As a result, BWSC has not yet evaluated what other utilities (such as water or sewer pipes) may be required in the ALN area. BWSC will undertake that evaluation in the future, in response to specific development proposals for the ALN area.”

An EIR should be required that explains how the NASDEP project is connected to currently-proposed and future development projects, including the Harvard ERC. Some of the concerns raised herein about flooding and increased flow and water quality are directly related to future development in the catchment area and therefore, we need more information about how BWSC plans to regulate new and redevelopment projects in the catchments. The EIR should also provide additional information on BWSC’s authority to review and regulate properties where there may be a downstream drainage capacity limitation or a specific water quality concern.

***Documentation about Current Flooding Should be Provided***

The ENF states that “the NASDEP is intended to address longstanding deficiencies in the existing BWSC North Allston drainage system that currently result in substantial surface ponding and flooding throughout the catchment area including insufficient trunk drain capacity downstream of Rena Park.” (Page 5) However, the existing flooding areas and drainage system deficiencies are not documented in the ENF. In an EIR, BWSC should include information (description of extent, duration, frequency, etc.) in both written and visual format on the historical flooding areas, drainage infrastructure with identified deficiencies and a description of those deficiencies, and work completed in recent years to improve the drainage system in the associated catchment areas. This will help facilitate understanding about needed upgrades to manage existing conditions.

***Documentation of Climate Change Mitigation is Needed***

Sections titled “NASDEP Design” and “NASDEP Design Performance” on pages 7 and 8 of the ENF provide information on the sizing of the proposed new drainage infrastructure. Based on the information provided in these sections, as well as information missing from these sections, CRWA is concerned that the project has not adequately detailed impacts from climate change in this filing.

The ENF states that “BWSC has adopted as its design storm a 10-year Average Return Interval (ARI) 24-hour Natural Resources Conservation Service (“NRCS”) Type III rainfall pattern, a significant increase above the previous standard in response to the trend in increasing rainfall depth and intensity. This design storm equated to a 5.2-inch rainfall depth, based on the Atlas 14 Point Precipitation Frequency Estimates released by the National Oceanic and



Atmospheric Administration (“NOAA”).” The ENF notes that “no allowances were made for the local attenuation of runoff within the ALN development area or the BWSC requirement of infiltration of 1.25 inches of total local rainfall depth. Therefore, the modelled inflows were conservative (i.e. greater) in comparison to the inflows that will likely occur.”

According to the National Climate Assessment, the amount of precipitation falling in very heavy events increased by 71% in New England from 1958 to 2012. The Climate Ready Boston Map Explorer shows that areas of the catchments to be managed by this proposed project have predicted stormwater flooding in the near-, medium-, and long-term.<sup>4</sup> The BWSC City of Boston Inundation Model shows extensive areas of flooding, many of which are predicted to be over one foot, in a 100-year storm event with 2030 sea level rise and a 100-year storm surge, in these catchments.<sup>5</sup>

The 2018 Massachusetts State Hazard Mitigation and Climate Adaptation Plan<sup>6</sup> or “SHMCAP” outlines the following climate projections:

- **Precipitation.** Total annual precipitation is projected to increase by 1 to 6 inches by mid-century, and by 1.2 to 7.3 inches by the end of this century. This will result in up to 54.3 inches of rain per year, compared to the 1971-2001 average annual precipitation rate of 47 inches per year. Precipitation during winter and spring is expected to increase, with the number of days with rainfall accumulation over 1 inch reaching 11 days by the end of this century, representing an increase of 4 days from the observed average between 1971 and 2000. At the same time, precipitation during summer and fall is expected to decrease, with number of continuous dry days projected to increase to nearly 20 days per year at the end of this century compared to the observed average of 16.64 days per year from 1971 to 2001.
- **Flooding.** More intense and frequent downpours will result in more stormwater runoff, higher surface water levels, more frequent flooding in areas that lie within the floodplain, and inundation of land not typically affected by flooding. Projected increases in extreme precipitation events will also increase the risk of flash flooding and damage to drainage systems not designed to accommodate the higher flows. Flooding caused an average of over \$9.1 million in damages per year between 2007 and 2014, with highly developed areas being most vulnerable.
- **Storms.** Severe winter storms and nor’easters are currently the most frequently occurring natural hazard in the state. Massachusetts also experiences 20–30 thunderstorm days per year, with high winds occurring even more frequently. Tropical storms and hurricanes also impact the state, with an average occurrence of one event every two years. All of these severe weather events are expected to increase in intensity and frequency, including higher precipitation amounts.

We agree that, in the context of BWSC design guidelines, the sizing has been conservative for a 10-year ARI. In addition, we acknowledge that a larger pipe designed to alleviate existing

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<sup>4</sup> <https://boston.maps.arcgis.com/apps/View/index.html?appid=7a599ab2ebad43d68adabc9a9ebea0e6&extent=-71.1583,42.2897,-70.9309,42.4060>

<sup>5</sup> <https://www.bwscstormviewer.com/index.html>

<sup>6</sup> <https://www.mass.gov/files/documents/2018/10/26/SHMCAP-September2018-Full-Plan-web.pdf>

system constrictions and flooding could be considered a climate adaptation project. However, given the increases in precipitation documented over recent years, and predictions about future conditions, and given this is a new drainage pipe, we encourage BWSC to document the possible flooding impacts to the catchments under additional ARIs (25, 50, 100, etc.) and future climate conditions using best available science, existing models, and already established predictions in an EIR.

In addition, the ENF provides limited information related to “backflow inundation”: “In the context of sea level rise and storm surge, having an even bigger drain may not be beneficial because it can worsen the potential for backflow inundation, as it would be easier for water from the river to flow back up the drain and out of manholes into the catchment area. Backflow prevention devices can sometimes be used to mitigate this effect, but in this case the NASDEP is a low-head system, which makes backflow preventers impractical during business-as-usual operation. These conservative design allowances provide for climate change resiliency and adaptation in the BWSC infrastructure to larger and/or more frequent storm events.” More detail should be provided in an EIR on what will happen during operation outside of “business-as-usual.” More information should be provided in an EIR about the potential for backflow inundation.

### ***Concerns about Operation & Maintenance of the Drainage System***

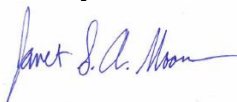
Users of the Charles River have observed increases of sedimentation in areas of the river to which stormwater outfalls discharge. The ENF does not provide any information on current or proposed operation and maintenance of the drainage system. Such documentation should be provided in an EIR. In addition, further detail on how the proposed 14.5-foot wide by 6.7-foot high dual-chamber box culvert design specifically accommodates operation and maintenance should be provided in an EIR.

### ***Lack of Adequate Public Engagement***

We share the concerns raised by other stakeholders that there has been a lack of public education and engagement around this project, the potential construction period impacts, and long-term flood management in the catchment area. In particular, BWSC should undertake an extensive program to provide information to local residents and businesses, as well as the public and entities who will be impacted by the construction period (e.g., commuters, boaters, etc.), about the perceived necessity for the project, its benefits, and its impacts. This outreach should be conducted in conjunction with the provision of more details and specifics about the project in an EIR.

Thank you for considering these comments, and please do not hesitate to reach out with any questions.

Sincerely,



Janet Moonan, PE  
Stormwater Program Director

**From:** [kotonji@aol.com](mailto:kotonji@aol.com)  
**To:** [Stryky, Alexander \(EEA\)](#); [adisidoro@gmail.com](mailto:adisidoro@gmail.com); [jennifer.migliore@mahouse.gov](mailto:jennifer.migliore@mahouse.gov); [bostonminstrel@aol.com](mailto:bostonminstrel@aol.com)  
**Subject:** MEPA  
**Date:** Tuesday, March 2, 2021 1:23:17 PM

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**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Goodafternoon. I can not comment on your presentation until you provide us with the answers to our questions. Nothing should move forward until these issues are solved. Please review your zoom tape and get back to us.

Ed Kotomori

Head Of The Charles Regatta  
2 Gerry's Landing Rd  
Cambridge, MA 02138



March 2, 2020

Alex Strycky  
Environmental Analyst, MEPA Office  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Subject: North Allston Storm Drain Extension Project

Dear Mr. Strycky,

Please accept this letter on behalf of the Head Of The Charles Regatta containing feedback on the North Allston Storm Drain Extension Project (NASDEP). The proposed project currently involves construction of a new drain on the Boston side of the Charles River between the Western Avenue Bridge and the River Street bridge. The final project would put the culvert below the surface of the river and will likely not have any significant effect on boating activities. However, the construction involved with this project presents some very concerning safety implications.

On page 9 of the ENF, the report details that the estimated construction period for this project is 24 months. Given the location of this project and the fact that the drain will ultimately be under water, we can assume that project barges will remain in the water for the better part of the construction period. The ENF also states that "There will be no interruption to waterway users and navigation will be maintained throughout construction on the Charles River." This stretch of the river is extremely busy even on a normal day, seeing collegiate crews, high school teams, masters rowers, power boaters, and kayakers. The Head Of The Charles Regatta is a two-day race in October and hosts over 2,000 boats. During the HOCR weekend, this proposed space for the construction barge is used as a warm-up lane as crews make their way downstream to the starting line. As crews race upstream, the racing boundaries include the Cambridge-side arch and middle arch between the Western Ave and River St bridges. This leaves just the Boston-side arch as a travel lane. A barge in the middle of this travel lane will most likely create a bottleneck as the 2,000 total crews row downstream to the start. The turbidity curtain enclosing a 25,000 square foot area including the cofferdam, crane platform and work barges would block up to a third of the river in one of the most heavily trafficked sections for as much as two years. This is a huge safety concern, and more detail and mitigation strategies must be made clear. Please consider shortening the timeline of this construction period and constructing the new drain during months with historically lower boating traffic.

Additionally, we are very concerned with the effect of this new drain on the environment of the river with a potential increase in floating debris and pollutants. This project should detail how

future maintenance will be supervised and funded. An Environmental Impact Report must be required so stakeholders can evaluate the long-term effects this project will have on the river.

The Charles River is beloved and brings together so many communities in Boston and Cambridge; we are committed to making sure the river is a safe space for all to enjoy.



# MASSACHUSETTS WATER RESOURCES AUTHORITY

Charlestown Navy Yard  
100 First Avenue, Building 39  
Boston, MA 02129

Frederick A. Laskey  
Executive Director

Telephone: (617) 242-6000  
Fax: (617) 788-4899  
TTY: (617) 788-4971

March 2, 2021

Kathleen A. Theoharides, Secretary  
Executive Office of Energy and Environmental Affairs  
100 Cambridge St, Suite 900  
Attn: MEPA Office, Alex Strysky  
Boston, MA 02114

Subject: EOEEA #16319 Environmental Notification Form  
North Allston Storm Drain Extension Project, Boston, MA

Dear Secretary Theoharides,

The Massachusetts Water Resources Authority (MWRA) appreciates the opportunity to comment on the Environmental Notification Form (ENF) submitted by Boston Water and Sewer Commission (the "Proponent") for North Allston Storm Drain Extension Project (the "Project") in Boston, Massachusetts. Undertaken in coordination with Harvard University, the Project will address long-standing deficiencies in the existing BWSC North Allston drainage system and significantly improve its performance by providing much needed additional capacity. Specifically, the Project will collect runoff and convey upstream neighborhood flows, along with runoff from 500 Soldiers Field Road and the frontage along the west side of Soldiers Field Road to a new BWSC-owned outfall discharging to the Charles River. The proposed outfall and portions of the new culvert will be located on Massachusetts Department of Conservation and Recreation (DCR) Charles River Reservation.

Section 8(m) of Chapter 372 of the Acts of 1984, MWRA's Enabling Legislation, enables the MWRA to issue permits to build, construct, excavate, or cross within or near an easement or other property interest held by the MWRA, with the goal of protecting Authority-owned infrastructure. An 8(m) permit may be required due to the proximity of MWRA infrastructure to the Project alignment. The Proponent should continue to coordinate with Kevin McKenna in the Wastewater Operations Permitting Group at (617) 305-5956 for assistance related to this matter.

MWRA prohibits the discharge of groundwater and stormwater into the sanitary sewer system, pursuant to 360 C.M.R. 10.023(1) except in a combined sewer area when permitted by the Authority and the local community. The Project site has access to a storm drain and is not located in a combined sewer area. Therefore, the discharge of groundwater or stormwater to the sanitary sewer system associated with this Project is prohibited.

On behalf of the MWRA, thank you for the opportunity to provide comments on this Project. Please do not hesitate to contact me at 1 (617) 788-4958 with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Card', written in a cursive style.

Beth Card  
Director  
Environmental and Regulatory Affairs

cc: John Viola, MassDEP  
Adam Horst, BWSC



Commonwealth  
of Massachusetts

Dear Secretary Theoharides,

Thank you for the opportunity to comment on the Harvard North Allston Storm Drain Extension Project (HNASDEP) proposed by Boston Water and Sewer Commission (BWSC) and financed by Harvard University.

It is our understanding that one of the only reasons Harvard and BWSC filed this Environmental Notification Form (ENF) with MEPA is this project requires relief from the Article 97 parkland protections under the Massachusetts Constitution. If this is true, we believe the proponents are extremely prematurely in filing this ENF.

As you are aware, the Article 97 process involves several steps: the initial filing of legislation, the bill's referral to Committee for a public hearing, and a report to the appropriate clerk that the bill "ought to pass." Further, the legislation would need three readings in both the House and Senate, a 2/3 majority vote of both the House and Senate to enact the legislation - including a potential conference committee report reconciling differences in the bills. Finally, the Governor would need to sign the bill into law, assuming there are no amendments sent back to the Legislature by the Governor.

As the proponents state in their ENF, this project will cause significant disruption for our constituents over 24 months. They also concede that there will be negative impacts to vehicular traffic on Soldiers Field Road, boaters on the Charles River, and bikers and pedestrians using the Paul Dudley White Path. These are not small issues, as we know you are aware.

Due to the lack of meaningful discussions with our constituents, the direct abutters, the legislative delegation and the absence of plans that would give us a full understanding for the need for this Article 97 relief, we feel we must make you aware that we have not even begun to consider writing the first draft of this potential legislation. **Simply put, we are not even convinced that Article 97 relief is necessary at this point in time.**

In closing, given what we have outlined above, we would ask that MEPA take no action on this ENF and not issue any kind of MEPA certificate. A MEPA certificate would send the wrong message at this point in time that this project is moving forward in the process.

Thank you for your consideration of our comments, and if you need to speak with us, please do not hesitate to give us a call.

Handwritten signature of Representative Mike Moran in black ink.

Representative Mike Moran  
Assistant Majority Leader  
STATE REPRESENTATIVE  
18<sup>th</sup> SUFFOLK DISTRICT

Handwritten signature of Senator Sal DiDomenico in black ink.

Senator Sal DiDomenico  
Assistant Majority Leader  
STATE SENATOR  
MIDDLESEX AND SUFFOLK DISTRICT





Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Jamey Tesler, Acting Secretary & CEO



March 9, 2021

Kathleen Theoharides, Secretary  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114-2150

RE: Boston – North Allston Storm Drain Extension - ENF  
(EEA #16319)

ATTN: MEPA Unit  
Alex Stryisky

Dear Secretary Theoharides:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Environmental Notification Form for the North Allston Storm Drain Extension project in Boston, as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at [Lionel.Lucien@state.ma.us](mailto:Lionel.Lucien@state.ma.us).

Sincerely,

David J. Mohler  
Executive Director  
Office of Transportation Planning

DJM/jll

cc: Jonathan Gulliver, Administrator, Highway Division  
Patricia Leavenworth, P.E., Chief Engineer, Highway Division  
John McInerney, District 6 Highway Director  
Neil Boudreau, Assistant Administrator of Traffic and Highway Safety  
Boston Planning and Development Authority  
Boston Region Metropolitan Planning Organization



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Jamey Tesler, Acting Secretary & CEO



## MEMORANDUM

TO: David Mohler, Executive Director  
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E, and Manager  
Public/Private Development Unit

DATE: March 9, 2021

RE: Boston – North Allston Storm Drain Extension – ENF  
(EEA #16319)

The Public/Private Development Unit (PPDU) has reviewed the Environmental Notification Form (ENF) for the proposed North Allston Storm Drain Extension (NASDE) project in the Allston neighborhood of Boston. The project's proponent is stated as "Boston Water and Sewer Commission" (BWSC), in apparent partnership with Harvard University ("Proponent"), which is believed to be the primary landowner of the project site. The project site traverses Interstate 90 (I-90) Ramps B & D as well as DCR parkways, and is adjacent to the Tishman-Speyer ERC project at 100 Western Avenue, which has also recently filed an ENF. The project requires a Non-Vehicular Access Permit from MassDOT for construction within the state highway layout.

Based information provided in the ENF, the project is not expected to have any significant traffic impact on transportation infrastructure within the study area. Harvard University has been in regular discussions with the Highway Division District 6 Office for about 3 years regarding proposed work on Ramps B & D, including a potential requirement to restore the ramps to their previous conditions. In July 2019, the Proponent filed an Access Permit Application (#6-2019-0176). We note that, besides I-90 Ramps B & D, MassDOT also owns a number of facilities in the project vicinity, including the four bridges that carry River Street and Western Avenue over Soldiers Field Road and the Charles River. Should the project have any impacts to any MassDOT facilities other than Ramps B & D, the Proponent should expand coordination with District 6 to include those locations.

MassDOT recommends that no further review be required based on transportation-related issues. The Proponent should continue coordination with the District 6 Office during the permitting process to address any remaining issues. If you have any questions regarding these comments, please contact me at Lionel.Lucien@state.ma.us.